

AMENDMENT NO. 1352

(Purpose: To modify the circumstances under which attorneys' fees in Federal capital cases can be disclosed)

On page 73, between line 12 and 13, insert the following:

SEC. 306.—

(A) Section 3006A(d)(D)(vi) of title 18, United States Code, is amended by adding after the word "require" the following: "except that the amount of the fees shall not be considered a reason justifying any limited disclosure under 18 U.S.C. Sec. 3006A(d)(4)".

(B) EFFECTIVE DATE.—

This Act shall apply to all disclosures made under 3006A(d) of title 18, United States Code, related to any criminal trial or appeal involving a sentence of death where the underlying alleged criminal conduct took place on or after April 19, 1995.

AMENDMENT NO. 1353

(Purpose: To ensure that current Federal family violence prevention programs are sensitive to the needs of all Americans including seniors and the disabled)

At the appropriate place, insert the following:

SEC. ____ PROTECTION OF SENIORS AND THE DISABLED IN FEDERAL FAMILY VIOLENCE PREVENTION PROGRAMS.

(a) FINDINGS.—Congress finds that—

(1) of the estimated more than 1,000,000 persons age 65 and over who are victims of family violence each year, at least 2/3 are women;

(2) national statistics are not available on the incidence of domestic or family violence and sexual assault against disabled women, although several studies indicate that abuse of disabled women is of a longer duration compared to abuse suffered by women who are not disabled;

(3) in almost 9 out of 10 incidents of domestic elder abuse and neglect, the perpetrator is a family member, and adult children of the victims are the largest category of perpetrators and spouses are the second largest category of perpetrators;

(4) the number of reports of elder abuse in the United States increased by 150 percent between 1986 and 1996 and is expected to continue increasing;

(5) it is estimated that at least 5 percent of the Nation's elderly are victims of moderate to severe abuse and that the rate for all forms of abuse may be as high as 10 percent;

(6) elder abuse is severely underreported, with 1 in 5 cases being reported in 1980 and only 1 in 8 cases being reported today;

(7) many older and disabled women fail to report abuse because of shame or as a result of prior unsatisfactory experiences with individual agencies or others who lack sensitivity to the concerns or needs of older or disabled individuals;

(8) many older or disabled individuals also fail to report abuse because they are dependent on their abusers and fear being abandoned or institutionalized;

(9) disabled women may fear reporting abuse because they are fearful of losing their children in a custody case;

(10) public and professional awareness and identification of violence against older or disabled Americans may be difficult because these persons are not integrated into many social networks (such as schools or jobs), and may become isolated in their homes, which can increase the risk of domestic abuse; and

(11) older and disabled Americans would greatly benefit from policies that develop, strengthen, and implement programs for the prevention of abuse, including neglect and exploitation, and provide related assistance for victims.

(b) IN GENERAL.—Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(1) in section 2001 (42 U.S.C. 3796gg)—

(A) in subsection (a)—

(i) by inserting "including older women and women with a disability" after "combat violent crimes against women"; and

(ii) by inserting "including older women and women with a disability" before the period; and

(B) in subsection (b)—

(i) in the matter preceding paragraph (1), by inserting "including older women and women with a disability" after "against women";

(ii) in paragraph (6), by striking "and" after the semicolon;

(iii) in paragraph (7), by striking the period and inserting "and"; and

(iv) by adding at the end the following:

"(8) developing a curriculum to train and assist law enforcement officers, prosecutors, and relevant officers of the Federal, State, tribal, and local courts in identifying and responding to crimes of domestic violence and sexual assault against older individuals and individuals with a disability and implementing that training and assistance.";

(2) in section 2002(c)(2) (42 U.S.C. 3796gg-1) by inserting "and service programs tailored to the needs of older and disabled victims of domestic violence and sexual assault" before the semicolon; and

(3) in section 2003 (42 U.S.C. 3796gg-2)—

(A) in paragraph (7), by striking "and" after the semicolon;

(B) in paragraph (8), by striking the period and inserting "and"; and

(C) by adding at the end the following:

"(9) both the term 'elder' and the term 'older individual' have the meaning given the term 'older individual' in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002); and

"(10) the term 'disability' has the meaning given the term in section 3(3) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(3))."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any grant made beginning with fiscal year 2000.

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 1999

Mr. GORTON. I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 216, S. 1393.

The PRESIDING OFFICER. The clerk will report the bill by Title.

The legislative clerk read as follows:

A bill (S. 1393) to provide a cost-of-living adjustment in rates of compensation for veterans with service-connected disabilities and dependency and indemnity compensation for survivors of such veterans, to amend title 38, United States Code, to codify the previous cost-of-living adjustment in such rates, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. GORTON. Mr. President, I ask unanimous consent that the bill be read the third time, and the Veterans' Affairs Committee be discharged from further consideration of H.R. 2280. I further ask consent that the Senate proceed to its consideration, all after the enacting clause be stricken, and the text of S. 1393 be inserted in lieu thereof, the bill be read the third time, and passed.

I finally ask that the motions to reconsider be laid upon the table and

that any statements relating to the bill be printed in the RECORD and S. 1393 be placed back on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2280), as amended, was read the third time and passed.

ALL-VOLUNTEER FORCE EDUCATIONAL ASSISTANCE PROGRAMS IMPROVEMENTS ACT OF 1999

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of calendar No. 222, S. 1402.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1402) to amend title 38, United States Code, to enhance programs providing education benefits for veterans, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. GORTON. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1402) was read the third time and passed, as follows:

S. 1402

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "All-Volunteer Force Educational Assistance Programs Improvements Act of 1999".

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 3. AVAILABILITY OF MONTGOMERY GI BILL BENEFITS FOR PREPARATORY COURSES FOR COLLEGE AND GRADUATE SCHOOL ENTRANCE EXAMS.

Section 3002(3) is amended—

(1) in subparagraph (A), by striking "and" at the end;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph (B):

"(B) includes—

"(i) a preparatory course for a test that is required or utilized for admission to an institution of higher education; and

"(ii) a preparatory course for a test that is required or utilized for admission to a graduate school; and".

SEC. 4. INCREASE IN BASIC BENEFIT OF ACTIVE DUTY EDUCATIONAL ASSISTANCE.

(a) INCREASE IN BASIC BENEFIT.—Section 3015 is amended—

(1) in subsection (a)(1), by striking "\$528" and inserting "\$600"; and

(2) in subsection (b)(1), by striking "\$429" and inserting "\$488".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect

“(ii) An individual described in clause (i) may pay the Secretary at any time before discharge or release from the Armed Forces an amount equal to the total amount of the

reduction in basic pay or compensation otherwise required with respect to the individual under that clause minus the total amount of reductions of basic pay or compensation of the individual under that clause at the time of the payment under this clause.

“(iii) The second sentence of subsection (c) shall apply to any reductions in basic pay or compensation under clause (i)(I).

“(iv) Amounts paid under clauses (i)(II) and (ii) shall be deposited into the Treasury as miscellaneous receipts.

“(D) The withdrawal of an election under this paragraph is irrevocable.”.

SEC. 9. ACCELERATED PAYMENTS OF BASIC EDUCATIONAL ASSISTANCE.

Section 3014 is amended—

(1) by inserting “(a)” before “The Secretary”; and

(2) by adding at the end the following new subsection:

“(b)(1) The Secretary may make payments of basic educational assistance under this subchapter on an accelerated basis.

“(2) The Secretary may pay basic educational assistance on an accelerated basis under this subsection only to an individual entitled to payment of such assistance under this subchapter who has made a request for payment of such assistance on an accelerated basis.

“(3) In the event an adjustment under section 3015(g) of this title in the monthly rate of basic educational assistance will occur during a period for which a payment of such assistance is made on an accelerated basis under this subsection, the Secretary shall pay on an accelerated basis the amount of such assistance otherwise payable under this subchapter for the period without regard to the adjustment under that section.

“(4) For each accelerated payment made to an individual, the individual's entitlement under this subchapter shall be charged as if the individual had received a monthly educational assistance allowance for the period of educational pursuit covered by the accelerated payment.

“(5) Basic educational assistance shall be paid on an accelerated basis under this subsection as follows:

“(A) In the case of assistance for a course leading to a standard college degree, at the beginning of the quarter, semester, or term of the course in a lump-sum amount equivalent to the aggregate amount of monthly assistance otherwise payable under this subchapter for the quarter, semester, or term, as the case may be, of the course.

“(B) In the case of assistance for a course other than a course referred to in subparagraph (A)—

“(i) at the later of (I) the beginning of the course, or (II) a reasonable time after the request for payment by the individual concerned; and

“(ii) in any amount requested by the individual concerned within the limit, if any, specified in the regulations prescribed by the Secretary under paragraph (6), with such limit not to exceed the aggregate amount of monthly assistance otherwise payable under this subchapter for the period of the course.

“(6) The Secretary shall prescribe regulations for purposes of making payments of basic educational assistance on an accelerated basis under this subsection. Such regulations shall include requirements relating to the request for, making and delivery of, and receipt and use of such payments and may include a limit on the amount payable for a course under paragraph (5)(B)(ii).”.

SEC. 10. VETERANS EDUCATION AND VOCATIONAL TRAINING BENEFITS PROVIDED BY THE STATES.

(a) ANNUAL REPORT.—(1) Not later than six months after the date of the enactment of

this Act, and January 31 of each year thereafter, the Secretary of Veterans Affairs shall, in consultation with the Secretary of Education, the Secretary of Defense, and the Secretary of Labor, submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report on veterans education and vocational training benefits provided by the States.

(2) A report under paragraph (1) shall include, for the one-year period ending on the date of the report, the following:

(A) A description of the assistance in securing post-secondary education and vocational training provided veterans by each State.

(B) A list of the States which provide veterans full or partial waivers of tuition for attending institutions of higher education that are State-supported.

(C) A description of the actions taken by the Department of Veterans Affairs, Department of Defense, Department of Education, and Department of Labor to encourage the States to provide benefits designed to assist veterans in securing post-secondary education and vocational training.

(b) SENSE OF CONGRESS REGARDING STATE VETERANS EDUCATION AND VOCATIONAL TRAINING BENEFITS.—(1) Congress makes the following findings:

(A) The peace and prosperity of the citizens of the States are ensured by the voluntary service of men and women in the Armed Forces.

(B) Veterans benefit from the military training and discipline and the success-oriented attitude that are inculcated by service in the Armed Forces.

(C) It is in the social and economic interests of the States to take advantage of the positive personal attributes of veterans which are nurtured through service in the Armed Forces.

(D) A post-secondary education provides veterans the means to maximize their contribution to the society and economy of the States.

(E) Some States have recognized that it is in their interest to provide veterans post-secondary education on a tuition-free basis.

(2) It is the sense of Congress that each of the States should admit qualified veterans to publicly-supported institutions of higher education on a tuition-free basis.

(c) STATE DEFINED.—In this section, the term “State” has the meaning given that term in section 101(20) of title 38, United States Code.

ORDERS FOR TUESDAY, JULY 27, 1999

Mr. GORTON. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Tuesday, July 27. I further ask unanimous consent that on Tuesday immediately following the prayer the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business for 30 minutes with Senators speaking for up to five minutes each, and that the time be equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. I also ask unanimous consent that the Senate stand in recess from the hours of 12:30 p.m. until 2:15

p.m. for the weekly policy conferences to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. GORTON. Mr. President, for the information of all Senators, the Senate will be in a period of morning business until 10 a.m. Following morning business, the Senate will begin consideration of any available appropriations bills. It is hoped that the Senate can make significant progress on appropriations bills this week. Therefore, amendments and votes are expected throughout tomorrow's session of the Senate.

As a reminder, cloture on the substitute amendment to the juvenile justice legislation was filed today. By previous consent, that cloture vote will occur on Wednesday at 9:45 a.m.

Further, the Senate is expected to begin consideration of the reconciliation bill during Wednesday's session of the Senate.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. GORTON. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:10 p.m. adjourned until Tuesday, July 27, 1999, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate July 26, 1999:

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

THOMAS K. AANSTOOS, 0000
JESSE ADAMS, JR., 0000
MICHAEL A. ADAMS, 0000
DENNIS E. AHERN, 0000
GEORGE P. ALESSIO, JR., 0000
WILLIAM S. ARAMONY, 0000
JAMES C. ARRINGTON, 0000
NANCY J. ATKINSON, 0000
FRANKLIN E. BAILEY, 0000
DAVID A. BANACH, 0000
DENNIS M. BASH, 0000
FLORIDA B. BATTLE, 0000
MARK A. BATTLE, 0000
HARRY A. BECK, 0000
ARTHUR S. BENSON, 0000
JOHN A. BERNETSKIE, 0000
VANCE D. BERRY, JR., 0000
WILLIAM T. BERSSON, 0000
CONNIE L. BEST, 0000
KAREN F. BLACKBURN, 0000
LELAND S. BLOUGH, JR., 0000
GERALD W. BOCK, 0000
ULYSSES S. BOWLER, JR., 0000
KENT D. BROSTROM, 0000
WALTER W. BROWN, 0000
JOE P. BRYAN, 0000
JOHNATHAN W. BRYAN, 0000
ROBERT L. BRYANT, 0000
KATHLEEN S. BURKHART, 0000
GLEN A. BUSBY, 0000
KURT E. BUSKA, 0000
TIMOTHY J. BUTSON, 0000
FLOYD G. CAMPEN, 0000
ROBERT H. CAUTHEN, 0000
BECKY J. CERVENKA, 0000
JOHN C. CHAHBAZI, 0000
MARK E. CHESTON, 0000
RONALD D. CHRISTIAN, 0000
RALPH A. CICORA, 0000
JOSEPH R. COCKRELL, 0000
REX D. CONGER, 0000